

AMENDED IN ASSEMBLY APRIL 5, 1999

CALIFORNIA LEGISLATURE—1999–2000 REGULAR SESSION

ASSEMBLY BILL

No. 1471

**Introduced by Assembly Member ~~Havice~~ Members *Havice*
*and Washington***

February 26, 1999

An act to add Section ~~41515.5~~ to 27317 to, and to amend the heading of Article 3 (commencing with Section 27302) of Chapter 5 of Division 12 of, the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 1471, as amended, Havice. Vehicles: inflatable restraint systems: prohibitions.

Existing law does not prohibit the ~~repairing for purposes of sale or distributing, the distributing, or the selling of any used installation or reinstallation, or the distribution or the sale of any previously deployed~~ inflatable restraint system.

This bill would prohibit any ~~automobile dismantler or any other~~ person from engaging in these activities *if the person knows that the system was previously deployed*, and would make a violation of this prohibition a misdemeanor, thereby imposing a state-mandated local program by creating a new crime.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

1 ~~SECTION 1. Section 11515.5 is added to the Vehicle~~
2 ~~Code, to read:~~

3 ~~11515.5. Any automobile dismantler or any other~~
4 ~~person who repairs for purposes of sale or distribution,~~
5 ~~distributes, or sells any used inflatable restraint system is~~

6 *SECTION 1. The heading of Article 3 (commencing*
7 *with Section 27302) of Chapter 5 of Division 12 of the*
8 *Vehicle Code is amended to read:*

9

10 *Article 3. Safety Belts and Inflatable Restraint Systems*

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12 *SEC. 2. Section 27317 is added to the Vehicle Code, to*
13 *read:*

14 *27317. Any person who installs or reinstalls for*
15 *compensation, or who distributes or sells any previously*
16 *deployed inflatable restraint system, if the person knows*
17 *that the system has been previously deployed, is guilty of*
18 *a misdemeanor punishable by a fine of five thousand*
19 *dollars (\$5,000) and by confinement in the county jail for*
20 *one year.*

21 ~~SEC. 2.~~

22 *SEC. 3. No reimbursement is required by this act*
23 *pursuant to Section 6 of Article XIII B of the California*
24 *Constitution because the only costs that may be incurred*
25 *by a local agency or school district will be incurred*
26 *because this act creates a new crime or infraction,*
27 *eliminates a crime or infraction, or changes the penalty*
28 *for a crime or infraction, within the meaning of Section*
29 *17556 of the Government Code, or changes the definition*
30 *of a crime within the meaning of Section 6 of Article*
31 *XIII B of the California Constitution.*